

Meeting of International Authorities under the Patent Cooperation Treaty (PCT)

Thirty-Second Session
Geneva, October 29 to 31, 2025

SUMMARY BY THE CHAIR

INTRODUCTION

1. The Meeting of International Authorities under the PCT ("the Meeting") held its thirty-second session as a virtual meeting from October 29 to 31, 2025.
2. The following International Searching and Preliminary Examining Authorities participated remotely in the session: the Austrian Patent Office, the Brazilian National Institute of Industrial Property, the Canadian Intellectual Property Office, the China National Intellectual Property Administration, the Egyptian Patent Office, the Eurasian Patent Office, the European Patent Office, the Federal Service for Intellectual Property of the Russian Federation, the Finnish Patent and Registration Office, the Indian Patent Office, the Intellectual Property Office of the Philippines, the Intellectual Property Office of Singapore, IP Australia, the Israel Patent Office, the Japan Patent Office, the Ministry of Intellectual Property of the Republic of Korea, the National Institute of Industrial Property of Chile, the Nordic Patent Institute, the Saudi Authority for Intellectual Property, the Spanish Patent and Trademark Office, the Swedish Intellectual Property Office, the Turkish Patent and Trademark Office, the Ukrainian National Office for Intellectual Property and Innovations, the United States Patent and Trademark Office and the Visegrad Patent Institute.
3. The list of participants is contained in Annex I to this document.

AGENDA ITEM 1: OPENING OF THE SESSION

4. Ms. Lisa Jorgenson, Deputy Director General, Patents and Technology Sector, welcomed the participants on behalf of Mr. Daren Tang, Director General of WIPO.

AGENDA ITEM 2: ELECTION OF A CHAIR

5. The session was chaired by Mr. Tsuyoshi Isozumi, Senior Director, PCT Services Department, Patents and Technology Sector.

AGENDA ITEM 3: ADOPTION OF THE AGENDA

6. The Meeting adopted the agenda as set out in document PCT/MIA/32/1 Prov. 2

AGENDA ITEM 4: PCT STATISTICS

7. The Meeting noted the presentation made by the International Bureau on the most recent PCT statistics¹.

AGENDA ITEM 5: MATTERS ARISING FROM THE QUALITY SUBGROUP

8. The Meeting noted with approval the Summary by the Chair of the Quality Subgroup set out in Annex II to this document, agreed with the recommendations contained in that Summary and approved the continuation of the Subgroup's mandate.

AGENDA ITEM 6: STANDARDS FOR DATA FORMAT DEVELOPMENT

9. Discussions were based on document PCT/MIA/32/7.

10. The Secretariat introduced the document, observing that high quality data in well standardized formats were essential to delivering the efficiency gains and improved services that were at the heart of the International Bureau's current strategy. All current processing and exchange of structured data at the International Bureau was based around XML standards defined in Annex F of the PCT Administrative Instructions, based on WIPO Standard ST.36. However, many national Offices were developing systems for national processing based on WIPO Standard ST.96 XML (with some consideration of WIPO Standard ST.97 JSON) and were reluctant to develop services for the PCT international phase based on ST.36. Consequently, completing the collection of structured data across the work carried out by all Offices did not appear to be possible following the present route.

11. Trying to maintain two or more standards in parallel for all processes would be very expensive, time-consuming and risky, likely taking the International Bureau's entire resources for development and maintenance for a lengthy period. This would prevent development of business improvements to the service and increase, rather than decrease overall processing costs. Development of support for new standards would need to be considered very carefully to ensure that it delivered real business benefits and was cost-effective and supportable.

12. Several Authorities indicated that their systems were also built entirely on ST.36-based XML. They had achieved great efficiencies with these systems and they had no plans to fundamentally change them. For these Offices, a move towards ST.96 offered no business benefits and would have high costs and risks. These Offices either dealt only with patents, or else their patent, design and trademark systems were sufficiently distinct that the benefits of using common standards between the different areas were not sufficient to justify any change.

13. On the other hand, other Authorities had begun to implement ST.96 for their national patent systems and saw equivalent costs and risks to their own Office from parallel systems if they tried to implement ST.36-based systems solely for use in the PCT international phase.

¹ A copy of the presentation is available on the WIPO website at https://www.wipo.int/meetings/en/doc_details.jsp?doc_id=651745.

However, specifically for the purpose of the application body and publication, some Offices in their national roles were already supporting WIPO Standards ST.36 and ST.96 simultaneously.

14. Several Authorities noted that their processing tools were in need of replacement and there was a strong need for good advice, standardized tools and common services – in some cases specific advice regarding implementation of ST.96, in other cases irrespective of the particular standards involved. One Authority noted the project under the Committee on WIPO Standards (CWS) to create a repository for Office-customized ST.96 schemas, which could provide a basis for better common understanding of what revisions to ST.96 were needed and how ST.96 was being implemented within systems.

15. The International Bureau thanked the Authorities for the information and viewpoints. It noted that it would not be capable of a wholesale move to WIPO Standard ST.96 in the near future, nor supporting dual-standard processing across the full range of documents and data exchanges. In its role administering the PCT, the International Bureau particularly wished to avoid the exchange of documents (in the sense of PCT Forms, application bodies and other such complex material that commonly expects a visual rendering) in JSON format as well as XML. However, the changing environment needed to be recognized and a practical approach found to moving ahead in a way that worked for all national Offices. For example, there might be some specific areas, such as application bodies, where a second format could be supported if the requirements were well understood and Offices worked to make the relevant implementations as simple as possible. There were a number of further events coming up where further information and views could be collected to assist in developing a practical plan, beginning with the upcoming session of the CWS in November.

16. The Meeting noted the contents of document of PCT/MIA/32/7 and the comments made by International Authorities on the use of WIPO Standards in relation to their plans for the development of XML-based documents.

AGENDA ITEM 7: IMPROVEMENTS IN THE THIRD PARTY OBSERVATIONS SYSTEM – ANALYSIS OF AN OBSERVATION

17. Discussions were based on document PCT/MIA/32/2.

18. The National Institute of Industrial Property of Brazil introduced the document with a presentation², emphasizing that the proposal would be to set up as a pilot to demonstrate the possibility of offering improved information to applicants and designated Offices without immediately requiring all Authorities to participate.

19. Several Authorities welcomed the principle of improving the third-party observations system in general, believing that changes to the current practices should be considered. Implementing the proposal in a phased approach with a small group of Offices could allow analysis of its impact; one Authority indicated its willingness to participate in any pilot. However, other Authorities considered that the current system worked well, with one of these Authorities mentioning that there had been no requests from PCT System users for such changes in the third-party observation procedure. It was suggested that some of the concerns could be better addressed by modifying the International Search and Preliminary Examination Guidelines to encourage a more consistent processing of third-party observations amongst Authorities.

20. Several Authorities raised concerns in principle or related to the details of the proposal. Implementation of the proposed measures would increase procedural complexity, create additional workload, require more resources and significant efforts for training and IT

² A copy of the presentation is available on the WIPO website at https://www.wipo.int/meetings/en/doc_details.jsp?doc_id=651747.

development without clear benefits to the PCT System. The proposals also had implications for Authorities in meeting the time limits as well as confusion that might occur in certain cases where international preliminary examination was demanded but a request for analysis was referred to a different Office as International Searching Authority. It was also not clear that the proposed change of the timing would improve the system, noting that there would be less time for third parties to prepare and submit observations, which could reduce the use of the system given that only about 40 per cent of third-party observations were submitted within 24 months from the priority date of the international application. One Authority suggested a compromise in this regard by maintaining the 28-month time limit for submission of third-party observations, but only allowing the possibility to request an analysis on observations submitted within 24 months from the priority date. Some Authorities pointed out the lack of legal basis for the proposed changes and raised concerns that the proposals might be considered to change the legal status of the third party submitting the observation, who might be considered a party to the proceedings. One Authority stated that, in particular, the establishment of fees for an analysis of a third-party observation would be impossible for their Office without a legal basis in the Regulations.

21. The Meeting noted the proposal in document PCT/MIA/32/2 and invited the National Institute of Intellectual Property of Brazil to consider the comments on the proposal to work with the International Bureau with a view to bringing a revised proposal to a future session of the Meeting.

AGENDA ITEM 8: FURTHER AMENDMENTS TO THE PCT REGULATIONS FOLLOWING THE CHANGES TO THE DEFINITION OF RELEVANT PRIOR ART

22. Discussions were based on document PCT/MIA/32/4.

23. Most Authorities that took the floor supported the proposed deletions to the PCT Regulations. However, Authorities considered that there was a need for further modifications to the Administrative Instructions and the International Search and Preliminary Examination (ISPE) Guidelines to provide improved guidance to examiners on how to cite different classes of disclosure. Issues included, on the one hand, oral presentations, prior use, self-deleting videos and other ephemeral prior art, and on the other hand, documents, videos and other disclosures that reproduced or reported such ephemeral prior art. In this regard, one Authority suggested adding “ephemeral” before “means” in Section 507(a) of the Administrative Instructions and opposed the deletion of the final sentence of paragraph 11.22 and all of paragraph 15.05 from the ISPE Guidelines. Another Authority supporting the proposed deletions to the PCT Regulations stressed the importance of careful coordination during the consultation on Circular C. PCT 1692 to modify the ISPE Guidelines to ensure that Authorities used the updated category “O” consistently and maintained clarity in reporting relationships between written and non-written disclosures.

24. One Authority could not support the proposals in the document as it believed the proposed deletions to the Regulations could lead to confusion when citing a written disclosure published before the relevant date when that written disclosure referred to an earlier non-written disclosure. In this situation, as a written disclosure was fixed and could be considered more reliable than the earlier non-written disclosure, the written disclosure could be cited as relevant prior art using the categories “X”, “Y” or “A” rather than citing the document as referring to a non-written disclosure as “O,X”, “O,Y” or “O,A”. The current proposals allowed the possibility of using either group of categories, which could cause confusion regarding which category should be used. This Authority therefore believed that the use of category “O” should be limited to the written disclosure published on or after the relevant date but referring to a non-written disclosure before the relevant date.

25. The Secretariat proposed that further discussion could take place over the electronic forum to clarify the use of category “O” in international search reports with aim of reaching a consensus on the proposed amendments to the PCT Regulations. In response to requests for adequate time for implementation of the proposed amendments, the Secretariat explained that the earliest entry into force would be July 1 in the year following their adoption by the PCT Assembly, leaving a minimum of nearly 12 months to make any necessary modifications to the relevant PCT Forms and associated IT systems.

26. The Chair acknowledged the broad support to take the proposed amendments to the PCT Regulations forward, but further discussion on the Quality Subgroup electronic forum would be needed to resolve the outstanding issues.

27. The Meeting invited the Canadian Intellectual Property Office to work with the International Bureau and other interested Authorities with a view to preparing a proposal for future consideration.

AGENDA ITEM 9: EXTENSION OF APPOINTMENT OF INTERNATIONAL SEARCHING AND PRELIMINARY EXAMINING AUTHORITIES

(A) PROCEDURE FOR EXTENSION OF APPOINTMENT OF INTERNATIONAL SEARCHING AND PRELIMINARY EXAMINING AUTHORITIES

28. Discussions were based on document PCT/MIA/32/8.

29. The Secretariat informed the Meeting that the International Bureau had published notifications under Rule 34.1(d)(i) in the PCT Gazette from all International Searching and Preliminary Examining Authorities on October 23 and 30, 2025.

30. Authorities that took the floor supported the procedure and timeline, which would facilitate the process of signature of agreements under Articles 16(3)(b) and 32(3) to enter into force on January 1, 2028.

31. In response to questions from Authorities, the Secretariat stated that the format of the application form referring to the quality management system (QMS) report and notification of the availability of its patent document collections was intended to provide all the relevant information for the Committee for Technical Cooperation to provide its advice on the extension of appointment. This information needed to be submitted to the International Bureau by December 1, 2025, to be made available to members of the Committee. However, there was flexibility in how the information was presented between the application form and QMS report to show that the minimum requirements set out in Rules 36 and 63 were met. For example, the table in section 2.1 of the application form could be edited to include a different categorization of technical fields or presentation of qualifications.

32. The Meeting noted the procedure and timeline for extension of appointment of International Searching and Preliminary Examining Authorities in document PCT/MIA/32/8.

(B) PROPOSED AMENDMENTS TO THE PCT REGULATIONS FOR USE OF THE DRAFT MODEL AGREEMENT UNDER ARTICLES 16(3)(b) AND 32(3)

33. Discussions were based on document PCT/MIA/32/3.

34. Authorities that took the floor supported the proposed amendments to the PCT Regulations in Annex I to the document, which would streamline and modernize the agreements under Articles 16(3)(b) and 32(3), and reduce administrative burden in making updates.

35. One Authority welcomed the changes to Article 10 of the draft model agreement to bring the earliest date for starting negotiations for renewal to July 2035.

36. The Meeting supported the amendments to the PCT Regulations proposed in the document PCT/MIA/32/3 and invited the International Bureau to submit the amendments for consideration by the wider PCT membership with a view to their submission to the PCT Assembly at the same time as the applications for the extension of appointment of International Authorities.

AGENDA ITEM 10: PCT MINIMUM DOCUMENTATION: STATUS REPORT AND NEW PERMANENT TASK FORCE

37. Discussions were based on document PCT/MIA/32/5 and a presentation by the European Patent Office³.

38. Authorities thanked the EPO, USPTO, International Bureau and all those who had contributed to the great effort to create the new framework for the PCT minimum documentation and to begin and validate the implementation of the new requirements for the patent documentation. It was noted that notifications under new PCT Rule 34.1(d)(i) concerning availability of national and regional patent document collections had been published from all International Authorities.

39. Authorities supported the proposal for the mandate for the new permanent Task Force. The USPTO, in its role as the Authority responsible for convening and organizing the meeting that would undertake the first comprehensive review of the list of items of non-patent literature in the minimum documentation, invited all Authorities to begin consideration of the existing and potential new items for the list, which should be submitted by the end of January 2026. The International Bureau noted that the pages on the PCT Minimum Documentation Task Force electronic forum prepared for this purpose needed to be finalized and recommended that Authorities begin their reviews but post material only after the USPTO had indicated that the site was ready for submissions. The USPTO further indicated that the list of current titles that are not compliant with the new criteria would be posted to the electronic forum shortly.

40. In response to a query concerning the methods of ensuring that all data concerning the minimum documentation was up to date and easy to find, the Secretariat acknowledged that at present relevant material was spread across the PCT Gazette, the Authority Files and the WIPO Handbook on Intellectual Property Information and Documentation. These were updated in different ways and at different times. One Authority proposed that the date the notification was published in the PCT Gazette could be included as an additional field in Part 4.1 of the WIPO Handbook. The International Bureau was looking for ways to consolidate and improve the arrangements to reduce the burden on Offices in keeping the data accurate and to make it easier to obtain complete and accurate current information.

41. The Meeting noted the contents of document PCT/MIA/32/5 and approved the proposed mandate of the new permanent Task Force on PCT minimum documentation.

AGENDA ITEM 11: SEQUENCE LISTINGS

(A) SEQUENCE LISTINGS TASK FORCE: STATUS REPORT

42. Discussions were based on document PCT/MIA/32/6.

³ A copy of the presentation is available from the WIPO website at https://www.wipo.int/meetings/en/doc_details.jsp?doc_id=651750.

43. The EPO, as a leader of the CWS Sequence Listings Task Force, introduced the document and presented the progress report on the work of the Task Force. The EPO noted the proposed revision of WIPO Standard ST.26, which contains two proposals for substantive revisions – a proposal to require a subset of nucleotide analogs and peptide analogs to be represented by the corresponding unmodified residue symbol, and a proposal to lift the minimum sequence length requirement and to optionally allow short sequences to be included in the sequence listing. The Task Force had submitted the proposed revision as draft version 2.0 of WIPO Standard ST.26 for approval by the CWS at its thirteenth session in November 2025. Document CWS/13/16 Rev. includes as an Annex the proposed draft version 2.0 and proposes an entry into force date of July 1, 2027. Specific transitional provisions to allow the inclusion of short sequences to apply as from that date, irrespective of the filing date of the application are also proposed.

44. One Authority expressed appreciation for the work of the Task Force and its support for the proposed revision of the WIPO Standard ST.26.

45. The Meeting noted the contents of document PCT/MIA/32/6.

(B) PROCESSING SEQUENCE LISTINGS

46. Discussions were based on document PCT/MIA/32/9.

47. The Secretariat updated the Meeting on recent developments of the WIPO Sequence Suite, including sharing its plans to release version 3.1.0 of the WIPO Sequence Validator in Q4 of 2025 and version 3.1.0 of WIPO Sequence in Q1 of 2026. Although version 3.0.0 of WIPO Sequence had been piloted by the WIPO Sequence Insiders group, the Secretariat would not be releasing this version to the public, and instead would be releasing version 3.1.0 as it offered improvements to performance and new features, in particular to bulk editing, compared to version 2.3.0.

48. Authorities expressed their appreciation of the International Bureau's continuous effort in further improving the performance of WIPO Sequence Suite for the benefit of applicants and Offices. They supported the use of the WIPO Sequence Insider group to pilot new releases.

49. Authorities agreed with the desirability of streamlining sequence listing document types. With regard to the use of Rule 13~~ter~~, one Authority suggested conducting a comparative analysis of the number of invitations sent by each ISA with the number of international applications containing sequence listings with an annual breakdown to assess trends and identify possible needs for further user-awareness or further harmonization of practices followed by various Offices. One Authority mentioned that it was not its practice to ask the applicant to send a modified sequence listing during the international phase, and this is rather done at the national phase, generally as part of examination reports. Some Authorities noted that they did not invite applicants to submit corrections under Rule 26 for sequence listings, and they did not make requests for translations. Another Authority indicated that translations were only required in the regional phase when the language-dependent qualifiers were not available either in English or one of its other official languages in which the international application had been published.

50. The Meeting noted the contents of document PCT/MIA/32/9 and invited the International Bureau to study further the issues of processing of sequence Listings under the PCT, taking into account the comments made.

AGENDA ITEM 12: FURTHER WORK

51. One Authority expressed the hope that the Meeting could meet in person, which allowed more effective discussions.

52. The Meeting noted an offer from the Visegrad Patent Institute to host the session of the Meeting and its Quality Subgroup in 2026 together with a conference to celebrate the 10th anniversary of the Institute.

AGENDA ITEM 13: SUMMARY BY THE CHAIR

53. The Meeting noted this Summary by the Chair.

AGENDA ITEM 14: CLOSING OF THE SESSION

54. The Meeting closed on October 31, 2025.

[Annexes follow]

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(in the alphabetical order of the names in English)

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[Annex II follows]

QUALITY SUBGROUP OF THE MEETING OF
INTERNATIONAL AUTHORITIES UNDER THE PCT

FIFTEENTH INFORMAL MEETING
GENEVA, OCTOBER 27 AND 28, 2025

SUMMARY BY THE CHAIR

1. Mr. Michael Richardson, Director, PCT Business Development Division, World Intellectual Property Organization (WIPO), welcomed participants to the meeting on behalf of the Director General of WIPO, Mr. Daren Tang.

1. QUALITY MANAGEMENT SYSTEMS

(A) REPORTS ON QUALITY MANAGEMENT SYSTEMS UNDER CHAPTER 21 OF THE PCT INTERNATIONAL SEARCH AND PRELIMINARY EXAMINATION GUIDELINES

2. Discussions covered both the quality management system (QMS) reports submitted by all Authorities for 2024 and the draft reports for 2025 submitted by some Authorities in preparation for their use as part of the material to be considered in 2026 by the PCT Committee for Technical Cooperation (PCT/CTC). Authorities acknowledged the usefulness of reviewing QMS reports of other Offices to ensure continuous efforts in improving quality management related practices. The current reporting mechanism and updated QMS template were considered to serve this purpose effectively and no changes were deemed necessary to improve the information to be provided to the PCT/CTC.

3. The Canadian Intellectual Property Office (CIPO) highlighted the launch and continuous improvement of its Next Generation Patents (NGP) IT system that comprises a new client interface called MyCIPO Patents, a financial component and an internal integrated system to process national applications. CIPO also noted the recent launch of an initiative to replace their legacy system for processing international applications with ePCT. In order to reinforce its commitment to delivering a consistent and high-quality client experience, the Patent Branch had established a dedicated Service Excellence Team focused on ensuring that patent products and services met the evolving needs of clients.

4. The European Patent Office (EPO) provided a brief overview of actions to reinforce its quality system, including the review of search reports and written opinions (500,000 such reviews performed to date), a dashboard to identify possible deviations and take necessary actions, a special focus on timeliness, user-satisfaction surveys (this year was the largest ever with more than 8,000 interviews) and joint discussions in the stakeholder quality assurance panels. All these actions contributed to the EPO Quality Action Plan and objectives to bring a continuous improvement in its products and services.

5. Authorities noted the growing use of user and client surveys and expressed interest in sharing information about how these surveys were designed, implemented and used. This had been part of one of the small group discussions. Authorities also highlighted the importance of understanding the consequences of the growing use of artificial intelligence (AI)-based tools, which had been the subject of another small group discussion.

6. The National Institute of Industrial Property of Chile (INAPI) and the EPO indicated that they were willing to share details on the Subgroup electronic forum of their cooperation agreement, aimed at improving the efficiency of search and examination work by sharing best practices and through cooperation.

7. Authorities participating in the European Harmonization Files Project invited members of the Subgroup to contact them if they were interested in further details of this work.

(B) PRESENTATIONS ON ASPECTS OF QUALITY MANAGEMENT SYSTEMS FROM INTERNATIONAL AUTHORITIES

8. IP Australia presented an overview of its quality management system⁴, which covered both administration and examination of patents, designs and trademarks, as well as the conduct of hearings and issue of decisions. The current system had been introduced in 2020 following a comprehensive review begun in 2018. The system continued to have a comprehensive coverage and a strong governance structure, including strategic oversight policy documents and senior management review, a quality framework, manuals and strategic risk assessments to give more detailed direction, and a series of implementing procedures and actions. A variety of changes had been introduced in 2020 and there is improved flexibility within the system. These changes were seen in practical terms in areas such as the “in-flight” quality assessments, quality standards and sampling methodologies, where level and type of review could be adjusted to current needs based on earlier quality assessments and customer feedback. “In-flight” quality reviews enabled corrective action to be implemented before an outcome is provided to the customer. Feedback from these reviews might take the form of a coaching conversation between the examiner and manager, aimed at ensuring that learning and development needs are optimized. Quality standards had also been simplified to seven criteria. The removal of details had made the quality standards less prescriptive and had met with positive feedback from stakeholders. Sampling methodology considered risk impact and existing controls, where sampling rates can be changed as risk level changes. A number of campaigns were undertaken each year targeting different goals, for example looking at specific criteria rather than specific product types and may have different types of outcome depending on the purpose.

(C) FEEDBACK FROM PAIRED REVIEW OF QUALITY MANAGEMENT SYSTEMS OF INTERNATIONAL AUTHORITIES

9. Authorities that had participated in the paired review had found the sessions to be beneficial. They appreciated the greater flexibility in timing from starting the process earlier in the year and from having a single session with two-way discussions rather than a pair of sessions where an Authority reviews one Office and is reviewed by another. This allowed more time for preparation and opportunity to fit the reviews around other work, as well as a better overall discussion. Good advance preparation and sharing of areas of interest allowed insightful and rewarding discussions. Several Authorities indicated their intention to participate again next year; these Authorities hoped for more Authorities to join so that they could have discussions with Offices that they had not been paired with in the past. The discussions led to increased understanding, trust and cooperation, including in some cases agreements to assist one another with the preparations for the new minimum documentation requirements.

10. Three small group sessions had been held, covering:

- (a) Office practice and support for unrepresented applicants;
- (b) Strategic implementation and risk management of AI in patent examination processes; and
- (c) Quality and customer satisfaction / Data collection and Office response.

⁴ A copy of the presentation is available on the WIPO website at https://www.wipo.int/meetings/en/doc_details.jsp?doc_id=651790.

11. The participants thanked IP Australia and the Israel Patent Office for leading these sessions, which were felt to be rewarding and useful. The format allowed very inclusive discussions. One Authority recalled that it had been intended to spread the discussions more across the year and that earlier sessions could be considered. In-person sessions might, for example be held alongside the PCT Working Group, though the participants on site at that meeting would not necessarily be the most appropriate for some topics. The session on strategic implementation and risk management of AI in patent examination processes was noted as being a fast-moving area, where regular follow-ups may be desirable. The Secretariat noted that such discussions were taking place or being considered in a variety of fora and that events should be coordinated carefully.

12. The Subgroup recommended that the International Bureau invite Authorities at an early stage to participate in paired reviews and small group discussions over the course of 2026, encouraging additional Authorities to participate.

13. The Subgroup recommended that the Secretariat discuss the possibility of more frequent discussions of the issues around the use of AI in patent examination with other interested parts of the International Bureau.

2. BETTER UNDERSTANDING THE WORK OF OTHER OFFICES

(A) CITATION OF DOCUMENTS BASED ON MACHINE TRANSLATIONS

14. Authorities appreciated the information that had been shared on the Subgroup electronic forum regarding the different practices in citing machine translations of prior art documents.

15. Authorities looked forward to participation in the proposed survey questionnaire on citation practices at IP Offices in 2026 that the Committee on WIPO Standards (CWS) had been invited to approve at its upcoming session from November 10 to 14, 2025, noting that this could provide an opportunity to have further guidance that could lead to harmonization of practices. In view of this survey, most Authorities that took the floor preferred to wait for the publication of the survey results and discussion by the CWS at its fourteenth session in November 2026 before undertaking further work in the Subgroup electronic forum on citation of machine translations.

16. One Authority believed there was potential value to further discussion on the electronic forum of the issue of sending and publishing machine translations of documents, which could take place in parallel with the survey to update Part 7.9 of the WIPO Handbook on Intellectual Property Information and Documentation. That Authority did not share machine translations of cited documents with applicants and underlined that it would be necessary to consider potential copyright implications of sharing machine translations and making them publicly available before adopting such a practice as a solution to improving citation practices. That Authority nonetheless expressed openness towards improving its services and working towards consistency among International Authorities in the citation of machine translations.

17. The Subgroup recommended waiting until the results of the survey on citation practices are reported to the Committee on WIPO Standards before performing further work in this area. Pending the outcome of the survey, Authorities would be able to record any matters on the electronic forum that could be taken up in the future, particularly on aspects that may not be covered by the survey.

(B) MAKING AVAILABLE INTERNATIONAL SEARCH AND PRELIMINARY EXAMINATION GUIDELINES ALTERNATIVES SELECTED BY EACH INTERNATIONAL AUTHORITY

18. The International Bureau recalled the aim of making clear which alternatives from the International Search and Preliminary Examination (ISPE) Guidelines were selected for use by which Authorities and performed a demonstration of a prototype system. International

Authorities thanked the International Bureau for the work on the prototype allowing a user-friendly rendering of the information on the ISPE Guidelines alternatives already collected in 2024. Authorities that had already tested the prototype reported that it was easy to use and convenient for retrieving relevant information on the alternatives. Authorities welcomed the variety of filtering options offered by the tool and noted that it helped the user navigate through the many alternatives present in the ISPE Guidelines.

19. Several improvements to the prototype were suggested by Authorities. A clearer description of the meaning of the entries (“1”, “2”, “Yes”, “No”) could be provided in the table and the filtering tool could offer a further refined breakdown of the sections in the Guidelines, allowing the user to select only one or two paragraphs referring to the “Claims” section, for instance. The display in the Excel export could also be improved. Consideration could be given to where and how links should be provided, including providing links by the relevant paragraphs in the Guidelines and offering “per Authority” links. Outside of the prototype, Chapter 1 of the ISPE Guidelines could be modified to increase awareness of the existence of the options. A link to the overview of notices of incompatibility under the PCT already available on the WIPO website could be added to the table. . In response to a query, the Secretariat noted that the entries could be updated quickly by requesting the International Bureau in the same way as is done for the Annexes to the *PCT Applicant’s Guide* and that such updates could include annotations to further explain table entries. The International Bureau indicated it would regularly remind Authorities to provide any updates on the table’s content to ensure it remains up to date.

20. The Subgroup considered that even before making the above improvements, the tool could already be made available online and publicized more widely.

21. The Subgroup recommended the International Bureau to make the tool available to the public, to consider the above improvements to the tool, and to make clear the arrangements for ensuring that the contents of the database are updated quickly and accurately whenever necessary.

(C) RESOURCES FOR INTERNATIONAL SEARCH

22. Authorities supported updating Chapters 15 and 16 of the PCT ISPE Guidelines to remove obsolete references but did not wish to undertake a more extensive review of Part IV of the Guidelines covering international search.

23. Authorities believed that it was useful to share search resources that were not part of the PCT minimum documentation. Most Authorities believed that a simple approach using the electronic forum could be adopted for this purpose for the moment. These Authorities supported further consideration of this matter by the permanent Task Force on PCT minimum documentation after this Task Force had completed the first comprehensive review of the non-patent literature (NPL) items in the PCT minimum documentation, noting that the review could reveal resources that were considered but not included in the final list of items agreed by International Searching Authorities. One Authority, however, considered that these discussions should be given higher priority in the permanent Task Force.

24. One Authority referred to the work of the IP Data Exchange Task Force under the Committee on WIPO Standards (see document CWS/13/14) as including subjects potentially relevant to the work of the permanent Task Force.

25. The Subgroup recommended performing an update to Chapters 15 and 16 of the PCT International Search and Preliminary Examination Guidelines to remove outdated references.

26. The Subgroup recommended that the permanent Task Force complete the first comprehensive review of the non-patent literature items in the PCT minimum documentation before discussing the sharing of other search resources and information relevant to international search.

3. CHARACTERISTICS OF INTERNATIONAL SEARCH REPORTS

27. Authorities appreciated the report on characteristics of international search reports (ISRs) and the improvements to the interactive tool in the WIPO IP Statistics Data Center. In response to an expression of interest in information about unity of invention, and percentage of ISRs where citations included publications from the same applicants and/or inventors, the Secretariat noted that the relevant data was not yet available and that “same applicant and/or inventors” was difficult to match reliably, but that these would be interesting points for specifying the data needs of any future improved database.

28. Several Authorities found the metrics concerning NPL particularly useful for assessing their work and the trends within different technology areas, highlighting the importance of providing good NPL search tools for examiners. The characteristics reports might also provide a good subject for a small group discussion. For example, participants might look at a subset of selected graphs to identify best practices on how each Office uses the WIPO IP Statistics Data Center and/or the report on characteristics of ISRs, aiming to identify opportunities for better use of the information and any required improvements to the presentation or content.

29. The Subgroup invited the International Bureau to continue to develop the tools for displaying the characteristics of international search reports.

4. OTHER IDEAS FOR QUALITY IMPROVEMENT

30. In response to a query concerning timely access to information concerning Chapter II documents and data for national phase entry purposes, the Secretariat indicated that the timing and scope of PATENTSCOPE data was limited by PCT Article 38. Rule 94.1(c), 94.2 and 94.3 had been modified with effect from 2004 to allow the greatest availability considered compatible with the Article at that time. By using ePCT or ePCT web services instead of PATENTSCOPE web services, elected Offices may be allowed access to some data not available to the public. The Secretariat agreed to discuss the issue with the Authority concerned to determine whether there was advice that could usefully be given to other International Preliminary Examining Authorities and elected Offices, or whether there may be a need to review the Rules in this area.

[End of Annex II and of document]